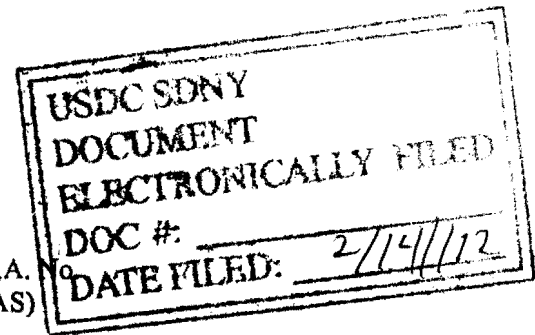


Scheindlin, J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

Master File C.A.
1:00-1898 (SAS)
MDL 1358



The Honorable Shira A. Scheindlin

This document relates to:

City of Merced Redevelopment Agency v. Exxon Mobil Corporation, et al., Case No. 08 Civ.
06306 (SAS)

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE
UNDER FED.R.CIV.P. 41(a)(2)


Plaintiff City of Merced Redevelopment Agency and Defendant ConocoPhillips Company (collectively, the "Parties") have advised the Court that they have resolved the matters between them and agreed to the entry of this Stipulation and Order of Dismissal With Prejudice of the claims against ConocoPhillips Company as indicated by the signature of the respective counsel below. This Court finds that this Stipulated Order of Dismissal With Prejudice should be entered, with the findings included below:

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED as follows:

1. This Court has jurisdiction over the Parties to this Stipulation and over the subject matter of this action. The Parties to this Stipulation have advised the Court of their agreement to settle this matter pursuant to a Settlement Agreement and Release and this Stipulated Order of Dismissal With Prejudice.
2. The Parties to this Stipulation consent to the dismissal with prejudice of this action as to ConocoPhillips Company.
3. Each party shall bear its own costs and attorneys' fees.


AGREED TO AND ACCEPTED BY:

Dated: January 3^o, 2012


Duane C. Miller
Michael Axline
A. Curtis Sawyer, Jr.
Miller, Axline, & Sawyer
1050 Fulton Avenue, Suite 100
Sacramento, California 95825-4225
Tel.: (916) 488-6688
Fax: (916) 488-4288
dmiller@toxictorts.org
maxline@toxictorts.org
csawyer@toxictorts.org

Attorneys for Plaintiff
CITY OF MERCED
REDEVELOPMENT AGENCY

Dated: January __, 2012


Jon D. Anderson
Latham & Watkins LLP
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626-1925
Tel.: (714) 540-1235
Fax: (714) 755-8290
jon.anderson@lw.com

Attorneys for Defendant
CONOCOPHILLIPS COMPANY

SO ORDERED:

Dated: 2/10/12


The Honorable Shira A. Scheindlin
United States District Judge

AGREED TO AND ACCEPTED BY:

Dated: January __, 2012

Duane C. Miller
Michael Axline
A. Curtis Sawyer, Jr.
Miller, Axline, & Sawyer
1050 Fulton Avenue, Suite 100
Sacramento, California 95825-4225
Tel.: (916) 488-6688
Fax: (916) 488-4288
dmiller@toxictorts.org
maxline@toxictorts.org
csawyer@toxictorts.org

Attorneys for Plaintiff
CITY OF MERCED
REDEVELOPMENT AGENCY

Dated: January ³⁰__, 2012

Jon D. Anderson
Latham & Watkins LLP
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626-1925
Tel.: (714) 540-1235
Fax: (714) 755-8290
jon.anderson@lw.com

Attorneys for Defendant
CONOCOPHILLIPS COMPANY

SO ORDERED:

Dated: _____

The Honorable Shira A. Scheindlin
United States District Judge

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X

In Re: Methyl Tertiary Butyl Ether	:	MDL No. 1358 (SAS)
("MTBE") Products Liability Litigation	:	Master File C.A. No.
	:	1:00-1898 (SAS)
	:	
	:	

This Document Relates To:

*City of Merced Redevelopment Agency v.
Exxon Mobil Corp., et al., No. 08 Civ.
06306*

-----X

CERTIFICATE OF SERVICE

Paul Kihm, pursuant to 28 USC 1746, hereby declares under penalty of perjury, that on the 10th day of February, 2012, I caused to be served by electronic means upon all parties to the above-referenced matter via LexisNexis File & Serve a true and correct copy of the following document:

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE UNDER
FED.R.CIV.P. 41(a)(2)**



Paul Kihm